

REMARKS/ARGUMENTS

Claims 1-14 and 16-17 are pending in the captioned application and stand rejected. Applicants have amended claim 13 for a clerical error. Applicants respectfully request reconsideration in view of the following arguments.

The claims stand rejected under 35 U.S.C. §103(a) as being unpatentable over Snoke et al. (US 4,055,469) in view of Izumrudov et al. (Biopolymers, Vol. 52, 94-108, 1999). Applicants respectfully disagree.

Applicants submit that Snoke et al. teach a method for the purification of certain enzymes. The Snoke et al. method precipitates, non-specifically, other proteins and nucleic acids with water-soluble, cationic polymers, while leaving the desired enzymes in solution (see the whole document, especially Summary of the Invention, including column 2, lines 41-45). Thus it is clear that the precipitation of Snoke et al. include both nucleic acid and proteins (except for the enzymes of interest which are still in solution).

While the Examiner cites Example 6 of Snoke et al., Applicants contend that this Example does not teach selective precipitation of the desired nucleic acid. Rather, all the Examples of Snoke et al. were presented to test the effect of the variables (pH, buffer, etc) in the purification of the enzymes of interest, by their ability to precipitate unwanted material. Thus, Example 6 merely shows that at different buffer concentrations, different amounts of nucleic acid precipitate. This in no way shows or suggests that the nucleic acid precipitation is selective. In fact, the disclosure as a

whole clearly indicates the opposite. Interestingly, Snoke et al. also admit that their data is inconclusive (column 9, lines 30-32).

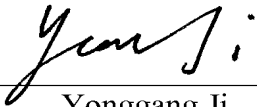
Izumrudov et al. relates to making stable DNA complexes, used e.g. as delivery systems to transform cells. There is nothing in Izumrudov et al. discloses or suggests the desirability of their system for the selective purification of nucleic acids.

On the contrary, the current invention teaches a method that selectively precipitates nucleic acid, while the other material ends up in the solution (see page 6, lines 6-8). Applicants submit that none of the cited references, whether individually or combined, would render obvious the claimed invention.

Early and favorable consideration is respectfully requested.

Respectfully submitted,


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